

Chapter 20.26**NEIGHBORHOOD CONSERVATION AREAS****Sections:**

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Section 20.26.010 Neighborhood conservation area designation criteria.

A neighborhood conservation area, as defined in Section 20.10.010, may be designated by the City Council upon the recommendation of the Cultural Heritage Board pursuant to the provisions of this title. A geographic area may be designated as a neighborhood conservation area by the City Council upon the recommendation of the Board if it:

- A. Provides a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- B. Represents established and familiar visual features of a neighborhood, community, or of the City; or
- C. Reflects significant development or geographical patterns, including those associated with different eras of settlement and growth; or
- D. Conveys a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association. (Ord. 6263 § 1 (part), 1996)

Section 20.26.015 Public participation in the designation of neighborhood conservation areas.

The City Council shall adopt a procedure by resolution to provide for adequate public participation in the designation process that shall be implemented by the Cultural Heritage Board and the Planning Department. (Ord. 6263 § 1 (part), 1996)

Section 20.26.020 Neighborhood conservation area designation initiation.

A neighborhood conservation area designation may be initiated by the Cultural Heritage Board, the City Council, or by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the City Council and the Cultural Heritage Board so as to assure the fullest practical presentation of the facts for proper consideration of the request. (Ord. 6263 § 1 (part), 1996)

Section 20.26.030 Neighborhood conservation area designation hearing date.

Upon the filing of a complete application, the matter shall be set for public hearing thereon before the Cultural Heritage Board. The date of such hearing shall be not more than sixty days from the date of filing of the application. (Ord. 6263 § 1 (part), 1996)

Section 20.26.040 Neighborhood conservation area designation hearing notice.

Notice of the date, time, place and purpose of the hearing before the Cultural Heritage Board shall be given by at least one publication of a notice in a newspaper having general circulation in the City not less than ten days prior to the date of such hearing and by depositing in the United States mail, postage prepaid, at least ten days prior to the date of the hearing, a notice addressed to the owners and residents of all the property being considered for a neighborhood conservation area. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or the nonreceipt of any notice mailed pursuant to this chapter shall not invalidate any proceedings in connection with the proposed designation. (Ord. 6263 § 1 (part), 1996)

Section 20.26.050 Neighborhood conservation area designation hearing.

A public hearing shall be conducted before the Cultural Heritage Board at the time and place so fixed and noticed. The Board may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Board may establish rules for the conducting of public hearings. The member of the Board presiding at such hearings is empowered to administer oaths to any person testifying. (Ord. 6263 § 1 (part), 1996)

Section 20.26.060 Neighborhood conservation area designation investigation.

The Cultural Heritage Board shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as in the opinion of the Board will serve to provide the necessary information to assure Board action consistent with the intent and purpose of this title. (Ord. 6263 § 1 (part), 1996)

Section 20.26.070 Neighborhood conservation area designation process.

The City Council upon the recommendation of the Board may designate a neighborhood conservation area, in whole or in part if, based on the criteria set forth in this chapter, the facts presented in connection with the application, the Council on the recommendation of the Board finds that the proposed area meets the criteria for designation pursuant to this chapter. (Ord. 6263 § 1 (part), 1996)

Section 20.26.080 Neighborhood conservation area designation resolution.

A neighborhood conservation area shall be designated by a numbered resolution of the City Council, the draft of which shall be reviewed and forwarded to the Council by the Cultural Heritage Board which provides facts and findings based on the criteria for designation as put forth in this chapter and the application receives the affirmative votes of a majority of the members then present and voting. (Ord. 6263 § 1 (part), 1996)

Section 20.26.090 Notice of neighborhood conservation area designation.

Notice of the designation of a neighborhood conservation area by the City Council shall be transmitted to the departments of Planning, Park and Recreation, Fire, Public Works, and Development, the building division of the Planning Department, the real property services division of the City Manager's Office, the Redevelopment Agency of the City, the Assessor and

the Recorder of Riverside County, and any other interested departments and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as a neighborhood conservation area into its records, so that future decisions or permissions regarding or affecting any landmark made by the City or an official of the City will have been made with the knowledge of the neighborhood conservation area designation, and in accordance with the procedures set forth in this title. The City Clerk shall record the resolution in the office of the Riverside County Recorder. (Ord. 6263 § 1 (part), 1996)

Section 20.26.100 Appeal of Board recommendation on application for neighborhood conservation area designation.

Any person aggrieved or affected by a recommendation of the Cultural Heritage Board for the designation, repeal or modification, denial of an application for a neighborhood conservation area designation may appeal to the City Council at any time within fifteen calendar days after the date upon which the Cultural Heritage Board announces its decision. An appeal to the City Council shall be taken by filing a letter of appeal, in triplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board was taken. The City Clerk shall give notice of hearing upon the appeal in the same manner and time as is required in connection with an application before the Cultural Heritage Board as set forth in Section 20.26.040. The date of such hearing upon the appeal shall be not more than thirty days from the date of filing of the appeal. Upon the hearing of such appeal, the City Council shall by resolution affirm, reverse or modify the recommendation of the Board. The provisions of this title regulating neighborhood conservation areas shall be effective from the date of the initial recommendation on the neighborhood conservation area application and shall become final only after City Council action. (Ord. 6263 § 1 (part), 1996)

Section 20.26.110 Repeal of neighborhood conservation area designation.

The City Council with the recommendation of the Cultural Heritage Board shall consider the repeal of a previously approved neighborhood conservation area designation in the same manner provided by this chapter for designation if the majority of the resources no longer meet the designation criteria found to apply due to the subsequent discovery of substantial information on the significance of the resource or destruction of the resource by a catastrophic event. (Ord. 6263 § 1 (part), 1996)